



XW 3731
AP

Docket No. B 06090-E

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Cohen, et al.) Examiner: Dawson, Glenn
Serial Number: 10/054,603)
Title: Appliance for Plucking Hairs out of Human) Group Art Unit: 3731
Skin) Filed: January 22, 2002

Assistant Commissioner for Patents
Washington, DC 20231

Honorable Sir:

TRANSMITTAL

1. Herewith is the following document(s) for the above-identified application:
(a) Second Information Disclosure Statement (3pp), w/ 1449, & 29 references.
2. A zero (0) month extension of time is requested hereby (or such extension as required to make the enclosed documents timely) to and including _____.
3. The fee required by this paper has been calculated as follows:
(a) Total independent claims in excess of highest number previously paid for ((3 -3)= x \$0) \$ 0
(b) Additional claims ((-20)= canceled = @ \$18) \$ 0
(c) Petition for submission of prior art \$ 180
Total Fee \$180

4. The Commissioner is hereby authorized to charge the above-indicated fees totaling **\$ 180**, plus any additional fees under §1.16 and §1.17, including time extension fees, required by this communication, to Deposit Account No. 07-1350. A **duplicate** copy of this authorization is enclosed.

Respectfully submitted,


Edward S. Podszus
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Attorney for Applicants
Date: 1 February 2005

Patent Department
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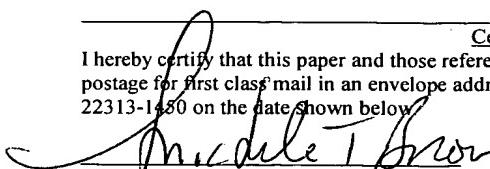
Certificate of First Class Mailing under §1.08

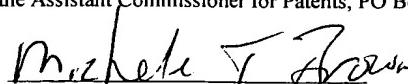
I hereby certify that this paper and those referenced herein are being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Assistant Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on the date shown below.

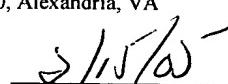
Signed

Printed Name

Date






S/MTB



Docket No. BAG:06090-E

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Cohen, et al. (formerly Kreutz, et al.))	Examiner: Dawson, G.
Serial Number: 10/054,603)	Group Art Unit: 3731
Appliance For Plucking Hairs out of Human Skin)	Filed: January 22, 2002
)	

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

CUSTOMER NO: 27199

SECOND INFORMATION DISCLOSURE CITATION UNDER 37 C.F.R. §1.97

Applicants submit herewith for Examiner's consideration the references identified in the attached form PTO-1449. It is pointed out that those of the cited references that were of record cited to and/or by the Office in the parent application Ser. No. 09/9444,643 and/or its grandparent application Ser. No. 08/996,991, and also United States patent or published patent applications, are not required to be resubmitted, and thus are not submitted herewith.

Applicants respectfully request that the Examiner carefully review all of the submitted references and kindly make them of record by initialing the PTO-1449. This submission is made in good faith to comply with the obligation to disclose material information under 37 C.F.R. §1.56 and should not be construed as an admission that the references submitted are relevant or are prior art.

European EP 671 136 A1 (Rosson et al.), published September 13, 1995, is not believed to be prior art with respect to Applicants' German priority application 195 21 585, filed June 14, 1995 disclosing the portion that is Figures 1-9 and the corresponding text thereto of the present application (which was filed from a continuation of a PCT Int'l. application) and any claims supported thereby. A certified copy of Applicants' priority application is already of record in the great-grandparent application, U.S. Ser. No. 08/996,991 (now issued as U.S. Patent 6,083,233 to Kreutz et al.). This EP '136 is in French, and an English language Derwent abstract was provided. As the undersigned understands EP 671 136, as seen in the abstract and in Figures 1, 4-5, it appears to disclose a rotary epilation head having bristles 7 and stationary pins 9 in advance of the clamping elements 3,4, as seen in the direction of rotation R. Text passages describing this appear to be at col. 3, line 51 to col. 4, line 17. As indicated at col. 3, ln. 51-58, the pins become progressively wider in the direction

of rotation R to define a tapered channel feeding hairs to the clamping elements, which is seen in the figures. The surface smooth cylindrical surfaces 5, 5A can have a friction-reducing coating such as PTFE or felt, or have a Peltier element to produce a cooling of the surfaces to attenuate a discomfort of plucking the hairs (cf. col. 4, ln. 1-7). As seen in Fig. 4, the stationary pins 9 fill out the virtual cylindrical surface 10 as a transition between bristles 7, smooth surfaces 5, 5A and the clamping plates 3 where there would otherwise be an abrupt drop-off due to the depressed gap 6, and it is indicated that the stationary pins 9 balance the rotary head 2 to prevent an otherwise abrupt depressed elongate gap 6 and incidentally rub the skin to attenuate discomfort (appears at col. 4, ln. 14-17).

EP 442 419 is in the French language, an English abstract was provided, and the document states at col. 2, lines 47-52, that teeth 13 are made of DELRIN polyacetal homopolymer. A description of the operation appears to be in the text at columns 2 and 3. As the undersigned understands from the abstract and drawings, the motor 2 rotates the cover 8 containing depilation member 4 having six plucking units 12 against the surfaces of three stationary cams 7 to cause the plucking units 12 that move along the skin to sequentially pinch hairs and pull them from the skin during rotation so that depilation is more gentle on the skin.

European EP 467 733 A1 (Oliveau et al.) is in French and an English abstract provided. EP '733 has, as shown in Figure 4, tufts of hair-straightening bristles (20) to help feed hair 28 into the pinching plates to increase plucking efficiency, and is seen as cumulative with the below reference EP 596 283 A1 (and abstract), with which Examiner is already familiar (e.g., straightening bristle roller 800 therein).

European EP 596 283 A1 is in the German language, and an abstract in English is provided. The EP '283 discloses a hair straightening device 800, 801 on the periphery of the depilation cylinder for lifting hairs prior to plucking, which appears to be described at column 11, line 53 to the end of the text.

For each of JP 7-289349 and JP 7-143910, an English-language Patent Abstracts of Japan was provided along with a partial English translation, which form the basis of the undersigned's understanding of these documents. The basic operating principle of the depilation members of the '910 and '349 documents appear similar to that disclosed in the reference EP 622 033 A2 (e.g. Fig. 8; Fig. 22, respectively), which is in the English language. The '910 document, as indicated in the partial translation, has a roller (3990) that performs a rolling function. The '349 document discloses a rotary depilation member (4, 41, 42, 45) shaped to conform to concave body surfaces such as the armpit or back of knee or elbow.

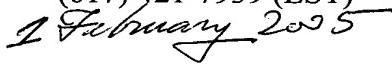
French 2 690 820 and 2 690 819, are in the French language, and English abstracts were enclosed on which the undersigned's understanding is based. These documents show a

sheet metal grill 27 covering the depilation rollers. The text appears to refer to Fig. 2 at page 6, line 36 through page 7, line 30, which appears to indicate at page 7, line 17 that the grill permits entry of hair but prevents accidental entry of skin that would be pinched by the rollers.

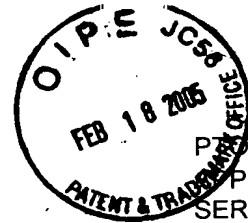
German published application DE 44 08 809 (Pahl et al.), published June 14, 1995, is in the German language, and an English translation of application PCT/EP95/00694 corresponding thereto was supplied. U.S. Pat. 5,704,935 (Pahl) is an English-language patent corresponding to German DE 44 08 809.

The Information Disclosure fee of \$180 is authorized by the accompanying Transmittal Letter to charge any fees which may be required by this paper, or credit any overpayment, to Deposit Account Account No. 07-1350.

Respectfully submitted,


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U.S. PATENT & TRADEMARK OFFICE

PTO FORM 1449

INFORMATION DISCLOSURE CITATION

APPLICANT: Cohen, et al. (formerly Kreutz, et al.)
 SERIAL NO.: 10/054,603
 FILING DATE: January 22, 2002

Atty. Dkt. Nr. B06090-E
 SHEET 1 OF 4
 Examiner: Dawson, G.
 GROUP: 3731

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA	4,162,675	7/31/1979	Kawada	128	55	9/15/77
	AB	6,123,713	9/26/2000	Yiu et al.	606	303	2/9/1999
	AC	5,976,157	11/2/1999	Yiu	606	133	7/9/1998
	AD	5,190,559	3/2/1993	Gabion et al.	606	133	10/30/1991
	AE	5,810,843	9/22/1998	Iwasaki et al.	606	133	8/26/1996
	AF	919,649	4/1909	Sciple	601	68	
	AG	4,052,982	10/1977	Ozeryansky	128	57	
	AH	4,901,723	2/1990	Platek	606	133	
	AI	5,011,485	4/1991	Daar et al.	606	133	
	AJ	5,088,999	2/1992	Bukoshek	606	133	
	AK	5,346,499	9/13/1994	Garenfeld et al.	606	133	5/3/1993
	AL	5,356,415	10/18/1994	Iwasaki et al.	606	133	2/19/1992
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATE
	AM	596 283 A1	5/11/94	EPO	A45D	26/00	Abs.
	AN	290 119 B1	6/6/90	EPO	A45D	26/00	
	AO	287 976 A2	16/04/88	EPO	A45D	26/00	Abs.
	AP	532 106 A1	Mar 17 '93	EPO	A45D	26/00	
	AQ	386 327 A2	30/11/89	EPO	A45D	26/00	
	AR	493 849 A1	Jul 8 1992	EPO	A45D	26/00	
OTHER PUBLICATIONS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)							
	AS	JP 4-126103, Published Apr. 27, 1992, Patent Abstracts of Japan (Vol. 16, No. 387 (C-0975), 1pg)					
	AT	JP 8-140726, Published Jun. 4, 1996, WPI/Derwent Patent Abstract, Week 9632 (1 pg.).					
EXAMINER:				DATE CONSIDERED:			

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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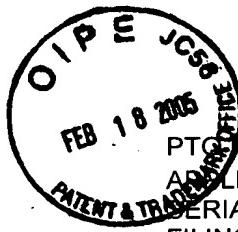
Atty. Dkt. Nr. B06090-E

SHEET 2 OF 4

Examiner: Dawson, G.
 GROUP: 3731

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	BA	853,096	5/7/1907	Lewis			6/16/1906
	BB	1,071,978	9/2/1913	White			4/11/1912
	BC	2,417,530	3/18/1947	Weiser	128	355	12/9/1944
	BD	2,888,927	6/2/1959	Fozard	128	303.13	11/29/1955
	BE	2,894,512	7/14/1959	Tapper	128	303.18	10/7/1957
	BF	3,054,405	9/18/1962	Tapper	128	303.18	9/9/1959
	BG	3,088,470	5/7/1963	Hall	132	79	10/27/1960
	BH	4,174,713	11/20/1979	Mehl	128	303.13	9/28/1977
	BI	4,274,413	6/23/1981	Hahn, et al	128	303.13	12/1/1978
	BJ	5,057,116	10/15/1991	Zucker	606	133	9/6/1990
	BK	5,100,414	3/31/1992	Dolev	606	133	3/5/1991
	BL	5,041,122	8/20/1991	Schneider et al.	606	133	5/31/1989
	BM	5,405,311	4/11/1995	Pecora et al.	601	135	3/9/1993
	BN	5,704,935	1/6/1998	Pahl et al.	606	48	7/29/1996
	BO	6,165,182	12/26/00	Caric et al.	606	133	Apr. 8 1996
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATE
	BP	44 08 809 C1	16/03/94	German	A45D	26/00	yes
	BQ	622 033 A2	11/02/94	EPO	A45D	26/00	
	BR	95/ 07638	3/23/1995	PCT	A45D	26/00	Abs.
OTHER PUBLICATIONS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)							
	BS	US 2002-0133177-A1 (=cousin appln. Ser. No. 09/955,253), published 9/19/2002, Dkt. 06090-D.					
	BT	US Ser. No. 10/951,851 (= cousin appln., not yet pub'd, filed Sept. 28, 2004, Atty. Dkt. 6090-F).					
EXAMINER:				DATE CONSIDERED:			

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 GROUP: 3731

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	CA	5,163,288	11/17/1992	Dolev	606	133	7/2/1991
	CB	5,226,907	7/13/1993	Tankovich	606	133	10/29/1991
	CC	5,230,303	7/27/1993	Rubino	119	83	6/12/1992
	CD	5,419,344	5/30/1995	DeWitt	128	898	4/28/1994
	CE	5,425,728	6/20/1995	Tankovich	606	9	1/19/1993
	CF	5,507,753	4/16/1996	Iwasaki et al	606	133	4/12/1994
	CG	5,595,568	1/21/1997	Anderson et al.	606	9	2/1/1995
	CH	5,630,811	5/20/1997	Miller	606	9	3/25/1996
	CI	5,261,919	11/16/1993	Niedertscheider	606	133	9/8/1992
	CJ	5,084,056	1/28/1992	Eckel	606	133	5/31/89
	CK						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATE
	CL	WO 96/03063	02/08/96	PCT	A45D	26/00	
	CM	7-289349	11/07/95	Japan	A45D	26/00	part.
	CN	7-143910	06/06/95	Japan	A45D	26/00	part.
	CO	442 419 B1	08/21/91	EPO	A45D	26/00	Abs.
	CP	795 283	9/17/1997	EPO	A45D	26/00	
OTHER PUBLICATIONS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)							
	CQ	JP07-289349, Patent Abstracts of Japan, published Nov. 7, '95 (corresponds to above item CM).					
	CR	JP07-143910 Patent Abstracts of Japan, published Jun. 6, 1995 (corresponds to above item CN).					
EXAMINER:				DATE CONSIDERED:			

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U.S. PATENT & TRADEMARK OFFICE

PTC FORM 1449

INFORMATION DISCLOSURE CITATION

~~CONFIDENTIAL~~
APPLICANT: Cohen, et al. (formerly Kreutz, et al.)
SERIAL NO.: 10/054,603
FILING DATE: January 22, 2002

Atty. Dkt. Nr. B06090-E

SHEET 4 OF 4

Examiner: Dawson, G.

GROUP: 3731

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